IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A. No. 3756 of 2021

Rocky Kumar Ravidas. …..**Petitioner**
Versus
The State of Jharkhand. ...**Opposite Party**

Coram: HON'BLE MR JUSTICE RONGON MUKHOPADHYAY

For the Petitioner : Mr. B.K. Dubey, Advocate
For the State : Mr. Pradeep Kumar Verma, A.P.P.

03/13-4-2021 Heard the parties.

Defects, as pointed out by the office, are ignored.

The petitioner is an accused in connection with POCSO Case No. 40 of 2020 arising out of Chatra Sadar (Mahila) P.S. Case No. 24 of 2020.

It has been alleged that the petitioner had gone to the house of Kajal Kumar's father for taking wine. It has further been alleged that the informant was dragged by the petitioner and was taken to a nearby house where she was subjected to rape.

Submission has been advanced by the learned counsel for the petitioner that the 164 Cr.P.C. statements of the victim and Kajal Kumari at best attract an offence under section 354 of the Indian Penal Code. It has been submitted that the petitioner is in custody since 28.08.2020.

Learned A.P.P. has opposed the prayer for bail of the petitioner.

The 164 Cr.P.C. statement of the victim, which finds place at paragraph 31 of the case diary and which has been sent through Email to this Court by the learned counsel for the petitioner, reveals that it is contrary to what has been alleged in the FIR and it reveals an allegation of trying to outraging the modesty of the victim. The same fact has been supported by the witness namely Kajal Kumari in her statement under section 164 Cr.P.C.

On consideration of the aforesaid facts, the petitioner, named above, is directed to be released on bail, on furnishing bail bond of Rs.10,000/- (Ten thousand only), with two sureties of the like amount each to the satisfaction of learned District & Additional Sessions Judge, 1st cum Special Judge, Chatra in connection with POCSO Case No. 40 of 2020 arising out of Chatra Sadar (Mahila) P.S. Case No. 24 of 2020.

(Rongon Mukhopadhyay, J)

Rakesh/-